



U.S. Department of Justice

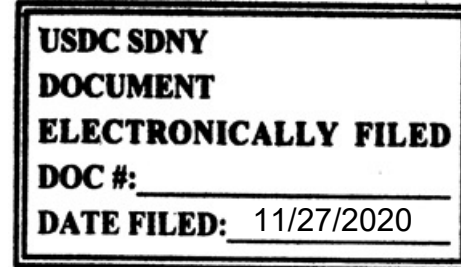
United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

November 12, 2020

VIA ECF

The Honorable Robert W. Lehrburger
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312



Re: *Madej Manchanda v. Lewis*, 20 Civ. 1773 (GBD) (RWL)

Dear Magistrate Judge Lehrburger:

This Office represents United States Citizenship Immigration Services (“USCIS”), Immigration Services Officer Andrea Lewis (“Officer Lewis”), and Field Office Director Susan Quintana (“Director Quintana,” and together with Officer Lewis and USCIS, “Defendants”), in the above-referenced action, in which Plaintiffs claim that Officer Lewis made harassing statements during Plaintiffs’ adjustment-of-status interview and that Defendants retaliated against Plaintiffs after they complained about Officer Lewis’s conduct, in asserted violation of 42 U.S.C. § 1983; 42 U.S.C. § 2000ee-1(e); the Administrative Procedure Act, 5 U.S.C. ch. 5 (“APA”); and the Federal Tort Claims Act, 28 U.S.C. § 1346 (“FTCA”). Plaintiffs also assert a *Bivens* claim against Officer Lewis and Director Quintana.

This Office writes respectfully to inform the Court that, on November 12, 2020, it obtained representation authority for Director Quintana. On July 31, 2020, this Office filed a motion to dismiss Plaintiffs’ claims on behalf of Officer Lewis and USCIS. *See* ECF No. 38. Because this Office did not then have representation authority for Director Quintana, it did not file the motion on her behalf.¹ Now that this Office has obtained representation authority, it writes to inform the Court that Director Quintana adopts in full the arguments for dismissal advanced in the memorandum of law filed in support of Officer Lewis and USCIS’s motion to dismiss. ECF No. 39. In the interest of judicial economy, and to avoid filing duplicative papers, this Office requests that the Court construe the motion to dismiss filed on July 31, 2020, as having been filed on behalf of all Defendants, including Director Quintana.

I thank the Court for its attention to this matter.

¹ In the memorandum of law filed in support of that motion, this Office did note that, “[b]ecause the claims against Director Quintana are not materially different from plaintiffs’ other claims, *sua sponte* dismissal may be appropriate.” ECF No. 39, at 1 n.1.

Respectfully,

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cc: Plaintiffs via email and ECF

SO ORDERED:

11/27/2020



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE